UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,569	11/15/2001	Shuntaro Aratani	35.G2934	7348

			EXAMINER
5514	7590	03/16/2006	YENKE, BRIAN P

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ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/987,569	ARATANI ET AL.
	Examiner	**Art Unit**	
	BRIAN P. YENKE	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>RCE(03 Mar 06)/Amend (25 Jan 06)</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7,9-16,18-24,26,38-45 (8,17,25 and 27-37 being cancelled)</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-7,9-16,18-24,26 and 38-45</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 25 Jan 06 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to the claims have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3a.   Claims 1-4, 5-7, 11, 14-16, 19-20, 24, 26, 38 and 40-44 are rejected under 35

U.S.C. 103(a) as being unpatentable over Nishio et al., US 6,577,347 in view of AAPA and US

20050024678.

In considering claim 1, 5-6, 11, 26, 38, 40 and 45

a) the claimed receiver means... is met by stream analyzing means 200 along with MPEG-2

video still picture decoder 400 and MPEG-2 video decoder 201.

b) the claimed output means for outputting the broadcast data signal... is met by signal

synthesizing means which outputs the received broadcast data including additional information

(channel number, still picture information) (col 10, line 51 to col 11, line 61).

c) the claimed communication means for communicating with an external device is met by

switch 107, which is activated via signal 13 which is a request from a user to reproduce the, and

the image signal recorded in HDD 108 is transmitted to frame memory 104 (col 11, line 54-61).

Nishio also discloses that the data may be recorded or printed (i.e the use of a printer).

d) the claimed control means for controlling the image to be displayed... is met where the

synthesizing means 105, combines both the additional data received and recorded in HDD 108

with video signal 14 that is currently being received, where the synthesized signal is output as a

monitor signal 17 (Fig 7).

However, Nishio does not explicitly recite executing a script based on script information

of the broadcast data signal (limitations d-f), nor the use of a Domain Object Model Application

Programming.

The execution of a script based on script information of a broadcast signal is notoriously

well-known and thus conventional in the art, as disclosed by AAPA (page 4, para 9). Where it is

also known that the information delivered by the broadcasting service can be received and also

printed out for permanent record (page 5, para 10).   Also, AAPA states that the broadcast data

includes text information which is described in XML defined in W3C (page 17, para 57), where

the W3C recommends the use of an extended DOM level (page 18, para 59).

Regarding the displaying information related to the external device as shown in applicants response Sketch A, Printing is displayed. In addition the examiner would like to emphasize this concept was clearly known prior to the date of the current application (see newly cited US 20050024678 (Fig 4a/b) and US 20030169450 (Fig 4a/b) which illustrate this concept/feature.

Therefore it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify Nishio which discloses the reception of both analog/digital signals and receiving/extracting the additional information provided with the signal, by utilizing the script information which is transmitted in addition to the recommended form to gain access to the content data in order to control the display/external device as done by AAPA, and inform the status of the device.

Regarding the newly added limitation of wherein the script queries whether a browser (the applicant's broadcast data and reproducting program) executing the script has a data printing function and sets the value of an attribute in accordance with a response to the query.

The applicant's discloses in AAPA the conventional use of IEEE-1394 which is an industry standard communication protocol to add/remote/update devices connected to a network/bus. Thus in the simplest case IEEE-1394 can identify whether a printer(s) is installed, on or off, is printing, needs paper etc..., and in addressing the currently added limitation, a device which is active is attributed/assigned as being operational (i.e. useable). In the event the applicant disagrees with conventional IEEE-1394 protocol (or alternatively USB Plug-N-Play) the examiner requests the applicant to explicitly explain the applicant's invention in view of standard communication protocol software/devices.

In considering claims 2-4, and 7, 14, 15, 16, 19, 20, 24, 28-29 and 32

Nishio does not explicitly recite the broadcast data signals including display control data which are used to modify the image displayed nor a markup language. Nishio does disclose that channel numbers/still picture information (script information) is displayed based upon selection/activation of reproduction from the user.

However, the reception of broadcast signals which include script information, text information described in XML and picture information is well known in the art, when receiving a digital broadcast signal as described by applicant's own background (page 4, para 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/utilize in Nishio which discloses the reception of both analog/digital signals, to utilize the control information which is transmitted with digital signal in order to control the display in accordance with the predetermined parameters.

In considering claims 9-10, 13, 18, 21, 22, 23,34-35 and 39

a) the claimed receiver means... is met by stream analyzing means 200 along with MPEG-2 video still picture decoder 400 and MPEG-2 video decoder 201.

b) the claimed display means for outputting the broadcast data signal... is met by signal synthesizing means which outputs the received broadcast data including additional information (channel number, still picture information) (col 10, line 51 to col 11, line 61).

c) the claimed print data output means... Nishio discloses that the data may be displayed, printed or recorded (col 12, line 50-53, col 13, line 45-56).

However, Nishio does not explicitly recite the status monitoring of the printing device. Nishio does disclose a system, which based upon the user requesting the reproduction of a program, which activates switch 107 subsequently triggers the display to synthesize the displayed image.

The monitoring of a device, i.e. 1394/plug-in-play or a system which monitors which devices are activated/non-activated for use is notoriously well known in the art. Typically systems include monitoring system to inform the user via the display which devices are available for selection, or informing the user of devices which may require attention (i.e. printer off-line, out of paper).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nishio which discloses the reception of both analog and digital signals, where the user may select the image to be displayed, recorded and printed, by monitoring the status of the device via IEEE 1394(i.e. HDD, printer) in order to inform the user if the device is available or not, and if not available informing the user of any problems (i.e. printer off-line).

Regarding claims 13 and 39 which include the newly amended cascading style sheet and obtaining output means separate from the display layout information comprising a style definition is met by AAPA since the signal includes the print layout information which is separate from the display layout information (page 17, para 57), thus the information is transmitted (is already included) and thus only needs to be received/decoded in order to utilize the information.

For the newly added limitation (script queries)—refer to rejection 1 above.

In considering claim 12,

Nishio discloses that the data may be displayed, printed or recorded (col 12, line 50-53,

col 13, line 45-56).

In considering claim 33,

Nishio does not explicitly recite the use of a IEEE-1394 standard.

Nishio describes a receiver which receives both analog and digital signals, in which the

receiver communicates to a hard-disk drive and monitor.

In considering claims 41-44,

Nishio describes a receiver which receives both analog and digital signals, in which the

receiver communicates to a hard-disk drive and monitor.

The IEEE-1394 is a standard protocol (plug-n-play protocol) which allows devices to be

connected via a high performance serial bus, which provides a low-cost interconnect between

devices (via IEEE Std 1394-1995).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Nishio which discloses communication between devices, by using a standard

such as the IEEE-1394 in order to provide a communication means which provides high

performance at a low cost.

3b.   Claims 1, 6, 18, 26, 38, 40 and 45 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bullock et al., US 5,070,404 in view of AAPA and US 20050024678.

In considering claims 1, 6, 18, 38 and 40

a) the claimed receiver means... is met by receiver 42, demod 46 and ID decoder 48 (Fig 4).

b) the claimed output means for outputting the broadcast data signals... is met by processor 50

which outputs the received broadcast data to display 54 (Fig 4).

c) the claimed communication means for communicating with an external device... is met where

the processor 50 communicates memory 52 (RAM/ROM) where processor 50 determines

whether data (coupon) has been stored in memory 52 with respect to the particular commercial

being broadcast.

Processor 50 determines data stored in memory 52 includes data relating to the broadcast

commercial, then processor 50 sends a signal to display device 54 to indicate to the user that

coupon data for the commercial has been received/stored and is available for printing. Bullock

indicates to the viewer via light's or LED's on the display that coupon data is available for the

particular commercial.

However, Bullock does not explicitly recite XML data nor DOM application

programming interface.

The execution of a script based on script information of a broadcast signal is notoriously

well-known and thus conventional in the art, as disclosed by AAPA (page 4, para 9). Where it is

also known that the information delivered by the broadcasting service can be received and also

printed out for permanent record (page 5, para 10). Also, AAPA states that the broadcast data

includes text information which is described in XML defined in W3C (page 17, para 57), where

the W3C recommends the use of an extended DOM level (page 18, para 59).

Regarding the displaying information related to the external device as shown in

applicants response Sketch A, Printing is displayed. In addition the examiner would like to

emphasize this concept was clearly known prior to the date of the current application (see newly

cited US 20050024678 (Fig 4a/b) and US 20030169450 (Fig 4a/b) which illustrate this concept/feature.

Therefore it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify Bullock which discloses the reception of broadcast data and checking whether related data (coupons) are available for a received commercial and then notifying the user so the user may print the coupon if desired, by displaying an indication other than a light (i.e. menu, information screen) in addition to the received broadcast, thereby controlling/adjusting the received picture via overlay/PIP/synthesizing means when additional information is available as disclosed by AAPA.

For the newly added limitation (script queries)—refer to rejection 1 above.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—see newly cited references on attached form PTO-892.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose

telephone number is

(703)305-HELP.

General information about patents, trademarks, products and services offered by

the United States Patent and Trademark Office (USPTO), and other related information is

available by contacting the USPTO's General Information Services Division at:

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The Patent Electronic Business Center (EBC) allows USPTO customers to

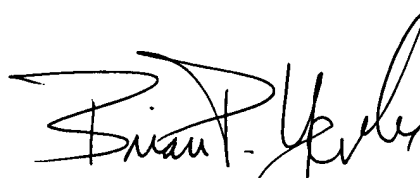retrieve data, check the status of pending actions, and submit information and

applications. The tools currently available in the Patent EBC are Patent Application

Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (http://pair.uspto.gov) provides customers direct secure access to their own patent

application status information, as well as to general patent information publicly available.

EFS allows customers to electronically file patent application documents securely via the

Internet. EFS is a system for submitting new utility patent applications and pre-grant

publication submissions in electronic publication-ready form. EFS includes software to

help customers prepare submissions in extensible Markup Language (XML) format and

to assemble the various parts of the application as an electronic submission package. EFS

also allows the submission of Computer Readable Format (CRF) sequence listings for

pending biotechnology patent applications, which were filed in paper form.

B.P.Y
11 March 2006

BRIAN P. YENKE
PRIMARY EXAMINER